



Federal Communications Commission  
Washington, D.C. 20554

November 13, 2002

Mr. Dana J. Puopolo  
2134 Oak Street, Unit C  
Santa Monica, California 90405

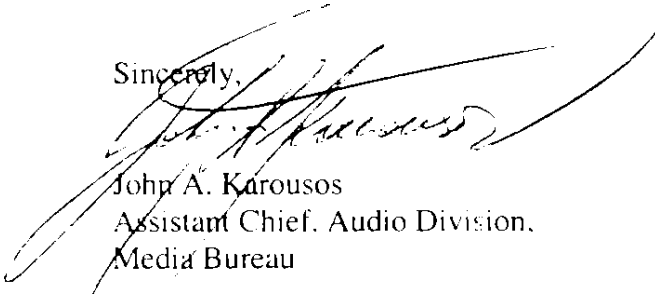
Dear Mr. Puopolo:

This is in response to the Petition for Rule Making you filed requesting changes to the Commission's FM Table of Allotments for communities in California. Your request for rule making is unacceptable for consideration at this time.

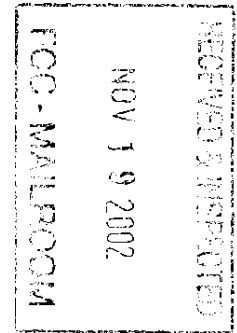
Specifically, you request the allotment of Channel 247A at Lamont, California, as a first local service. To accommodate the allotment at Lamont you request the substitution of Channel 282A for vacant Channel 247A at McFarland, California. Our engineering analysis indicates that Channel 247A can be allotted to Lamont with a site restriction 5.7 kilometers (3.5 miles) southeast of the community provided a substitution is made at McFarland. Our analysis shows that the allotment of Channel 282A at McFarland is short-spaced to Station KRFR, Channel 282A, Shafter, California. Although American Media General of Texas, Inc. has requested the substitution of Channel 226A for Channel 282A at Shafter, California, in MB Docket No. 02-58, that proceeding is not yet final. It is our policy to return petitions for rule making that are dependent upon final action in another proceeding.

Based on the above discussion, we are returning your proposal for Lamont and McFarland, California. Upon termination of MB Docket No. 02-58, you may resubmit your petition provided you make a showing that a fully spaced transmitter site is available and it is no longer necessary to protect Channel 282A at Shafter, California. In the alternative, you may wish to determine if other channels are available that are not contingent on the outcome of MB Docket No. 02-58.

Sincerely,

  
John A. Karousos  
Assistant Chief, Audio Division,  
Media Bureau

Enclosure



Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D. C. 20554

RECEIVED & INSPECTED

AUG 14 2002

FCC - MAILROOM

In the matter of )  
Amendment of Section 73.202 (b))  
Table of Allotments )  
FM Broadcast Stations )  
(Lamont, California & )  
McFarland, California) )  
MM Docket No \_\_\_\_\_  
RM- \_\_\_\_\_

**PETITION FOR RULEMAKING**

To the Chief, Allocations Branch.

1. Dana J. Puopolo ("petitioner") respectfully requests the Commission, initiate a rulemaking proceeding for the purposes of considering amending Section 73.202(b) of the Commission's rules. In support whereof the following is stated
2. Petitioner proposes the Commission allot FM channel 247A to Lamont, California as its first commercial FM service. This would require amending Section 73.202(b) of the commission's rules as follows:

<b><u>Community</u></b>	<b><u>Present</u></b>	<b><u>Proposed</u></b>
Lamont, CA		247A
McFarland, CA	247A, 275B1	275B1, 282A

3. Lamont, CA is a Census Designated Place located in Southern California. It is located in Kern County. In 1990, the United States Census Bureau estimated Lamont had a population of 11,515 persons. Lamont has its own Police Department, District Court Post Office, zip code and telephone exchange. The Lamont Reporter newspaper is located there. It has its own Chamber of Commerce. The Lamont General Store, Lamont Child Development Center, eight churches of various denominations, many restaurants, a motel and the Lamont School District are also located in Lamont. Presently, there is an FM application pending on Channel \*219A in Lamont.

4. To accommodate Channel 247A at Lamont, petitioner proposes the substitution of FM channel 282A for the vacant and unapplied for channel 247A at McFarland, CA. Presently, FM channel 282A is allocated to Shafter, CA but in Docket 02-58 the Commission has proposed substituting FM channel 226A for channel 282A at Shafter. A report and order is imminent in Docket 02-58.

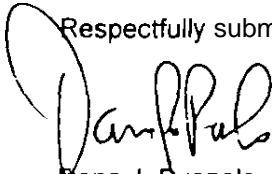
5. FM channel 247A can be assigned to Lamont in full compliance with the Commission's minimum distance separation requirements. This is illustrated in Table A below, which lists stations and assignments within 240 kilometers. Coordinates used are N 35:12:23, W 118:52:57 and are located approximately 7 km southeast of Lamont. This site restriction is necessary to prevent a short spacing with station KSMJ, Shafter, CA. Petitioner is confident he can find a suitable transmitter site for this allotment if it is assigned as proposed.

6. FM channel 282A can be assigned to McFarland in full compliance with the Commission's minimum distance separation requirements. This is illustrated in table B below which lists stations and assignments within 240 kilometers. Coordinates used are N 35:40:16, W 119:20:30, which are the reference coordinates for FM channel 247A at McFarland.

7. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate channel 247A if it is assigned to Lamont as proposed. If his application is granted, he shall promptly construct and operate the proposed station.

8. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted,



Dana J. Puopolo  
2134 Oak St., Unit C  
Santa Monica, CA 90405  
August 6, 2002

### TABLE A

#### Spacing study for FM channel 247A, Lamont, CA

<u>Channel</u>	<u>Station</u>	<u>Location</u>	<u>Actual Spacing(Km)</u>	<u>Required Spacing(KM)</u>
244A	KCSN	Santa Paula, CA	99	31
244A	KSW	Solvang, CA	133	31
24401	KEZL	Fowler, CA	182	43
244A	KCAL-FM	Redlands, CA	184	31
244A	KWIZ	Santa Ana, CA	185	31
245A	KKLK	Lenwood, CA	170	31
246B	KLSX	Los Angeles, CA	132	113
2468	KSEQ	Visalia, CA	159	113
24681	KWCH	San Luis Obispo, CA	162	96
247A	ALLOC	Coalinga, CA	170	115
2488	KMGQ	Santa Barbara, CA	124	113
2488	KSSE	Riverside, CA	19	113
249A	KSMJ	Shafter, CA	31	31
249A	KVVS	Mojave, CA	70	31
2508	KLAX-FM	Los Angeles, CA	132	69
2508	KMGV	Fresno, CA	213	69
3008	KUZZ-FM	Bakersfield, CA	29	15

**TABLE B**

Spacing study for FM channel 282.4, McFarland, CA

<u>Channel</u>	<u>Station</u>	<u>Location</u>	<u>Actual Spacing(Km.)</u>	<u>Required Spacing(KM)</u>
228A	KNAC	Earlimont, CA	33	10
2798	KRZR	Hanford, CA	106	69
279A	KMLA	El Rio, CA	152	31
279A	KAWU	Newberry Springs, CA	238	31
280A	KMYX-FM	Taft, CA	62	31
28081	KEDD	Johannesburg, CA	150	48
290A	KACE	Inglewood, CA	205	31
290A	KDLK	Mariposa, CA	213	31
2818	KFRR	Woodlake, CA	113	113
28181	KBOX-FM	Lompoc, CA	144	69
282A*	KRFR	Shafter, CA	31'	115
2828	KEIG-FM	Los Angeles, CA	198	178
282A	KMBY-FM	Gonzales, CA	225	115
283A	KVLI-FM	Lake isabella, CA	82	72
283B	KIQO	Atascadero, CA	124	113
283A	KBTW	Lenwood, CA	223	72
2848	KCAQ	Oxnard, CA	147	69
2848	KHTN	Los Banos, CA	200	69
285A	KCRZ	Tipton, CA	56	31
285B1	KLOA-FM	Ridgecrest, CA	150	69

\* Deletion proposed in Docket 02-58

